

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

JUDY JIEN, *et al.*,

Plaintiffs,

v.

PERDUE FARMS, INC., *et al.*,

Defendants.

Case No. 1:19-cv-2521-SAG

**DEFENDANTS' MOTION TO DISMISS  
FOR LACK OF STANDING PURSUANT TO FED. R. CIV. P. 12(b)(1)**

Defendants, by their respective undersigned counsel, hereby move pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure to dismiss the Second Amended Consolidated Complaint for lack of standing. Defendants incorporate by reference, as if set forth fully herein, the Memorandum of Law in Support of Motion to Dismiss Second Amended Consolidated Complaint.

WHEREFORE, Defendants respectfully request that this Court enter an Order (1) dismissing Defendants Butterball, LLC, Cargill Meat Solutions Corporation, and Jennie-O Turkey Store, Inc. from this action; (ii) dismissing all claims concerning salaried employees and turkey processing plant employees from this action; and (iii) granting such other and further relief as this Court deems just and proper under the circumstances.

Dated: December 18, 2020

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 18, 2020, I electronically filed Defendants' Motion to Dismiss for Lack of Standing Pursuant to Fed. R. Civ. P. 12(b)(1), Defendants' Memorandum of Law in Support thereof, and a Proposed Order with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

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